IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 14947 of 2007(D)

PETITIONER:

HERALD WILSON, S/O.C.HENRY,
MADASSERY HOUSE, PEECHI P.O.,
VILANGOOR, THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYARAGHAVAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE HOME SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SUPERINTENDENT OF POLICE,
THRISSUR DISTRICT.

3. THE CIRCLE INSPECTOR OF POLICE,
OLLUR, THRISSUR.

4. THE SUB INSPECTOR OF POLICE,
PEECHI, PATTIKKADU, THRISSUR.

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

W.P(C).No.14947 of 2007

Dated this the 21st day of June, 2007

JUDGMENT

The grievance of the petitioner is that no action has been taken on the basis of Ext.P5 complaint submitted by him. That complaint is dated 18.03.2007. According to the petitioner, Ext.P5 contains allegations of commission of cognizable offences and the police is bound to register a crime on the basis of Ext.P5 and conduct a proper and efficient investigation.

2. Notice was given to the learned Public Prosecutor . The learned Public Prosecutor submits that a crime has now been registered as Crime No.337 of 2007 of Peechi Police Station. There has been some delay in the filing of the said F.I.R though Ext.P5 was received as early as on 19.04.2007. The police undertake that a proper and efficient investigation shall be conducted.

3. The police having already registered a crime and having submitted that proper investigation shall be conducted in the matter, I am of opinion that no further directions are necessary in the matter.

4. The learned counsel for the petitioner however submits that his further prayer is that the 2nd respondent - the Superintendent of Police, Thrissur District may be directed to personally supervise the investigation in this case. I find merit in that submission in the

backdrop of the peculiar facts and circumstances of the case. The F.I.R was not registered promptly and the petitioner raises allegations of unsatisfactory behaviour on the part of the police officials. In these circumstances, I am satisfied that, that limited direction can certainly be given.

5. In the result, this Writ Petition is, allowed in part and a direction is issued that the 2nd respondent shall properly supervise and monitor the investigation into Crime No.334 of 2007 of Peechi Police Station.

6. Hand over a copy of this order to the learned Public Prosecutor. He shall communicate the same to the 2nd respondent forthwith.

(R.BASANT, JUDGE)

rtr/-